

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(From The Official Chambers Via Video Conferencing)
CRIMINAL MISCELLANEOUS No.16902 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- KHUDWA District- Aurangabad

RAMANJAY PANDEY @ NANHKA S/o Haridwar Pandey @ Haridwar
Pandey R/o Village- Ahirari, P.s.- Obra, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 19-01-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner.

The petitioner apprehends his arrest in connection with
Khudwan P.S. Case No. 59 of 2020, registered for the offences
punishable under Sections 306/34 of the Indian Penal Code.

The informant's 13 years old son namely Chandan Pandey
(deceased) has borrowed the mobile of the present petitioner for
playing mobile game. The petitioner handed over his mobile to
deceased, Chandan Pandey. When deceased did not return the mobile
to the petitioner then the petitioner and the elder brother of deceased,
Chunmun Pandey scolded and also assaulted the deceased as he had
concealed the mobile in the bag of rice. Later on, Nandan pandey the
younger son of the informant told him on phone that Chandan
Pandey has strangled himself to death.



Learned counsel for the petitioner has submitted that it is a case of suicide. The case has been registered under Section 306/34 of the Indian Penal Code. The petitioner and the elder brother of the deceased only scolded the deceased as he was not returning the mobile set. The allegation of assault is totally far from the truth. They even did not touch the body of the deceased. As such, in these circumstances it could not be gathered that their intention was to abet the suicide.

Considering the above-mentioned facts and circumstances, let the petitioner be released on anticipatory bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar in connection with Khudwan P.S. Case No. 59 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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